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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,414	12/18/2001	Dominique Derou-Madeline	025219-372	9575

7590 08/09/2005

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EXAMINER

MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/020,414	DEROU-MADELINE ET AL.	
	Examiner	Art Unit	
	Inder P. Mehra	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/18/2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/14/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to application dated: 12/18/01.

Claim Objections

2. Claims 1-8 are objected to because of the following informalities:

- a. Claim 1 recites “adaptive routing---“, in line 1, which is a language/term that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation, refer to MPEP 2106, page 2100-8.

Appropriate correction is required.

- b. Claims 1-8 do not show period or semi-colon towards the end of paragraph or sub-paragraph respectively, and , therefore, do not follow the standard, as enunciated under MPEP 608.01 (m). Each claim begins with a capital letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations. See *Fressola v. Manbeck*, 36 USPQ2d 1211 (D.D.C. 1995). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation, 37 CFR1.75(i).

- c. Claims 3-5 have been amended. When claim text with markings is required. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of “currently amended, ”and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of

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any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters.

The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of “currently amended,” or “withdrawn ” if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as “withdrawn— currently amended. ”

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 1 recites the following limitations:

- “each router” in line 8. It should be “the router”, because it is preceded by the limitation in line 3. Similar problem exists in claim 2 line 2, claim 3 line 3, claim 4 line 2, claim 6 line 2 and claim 7 line 2
- “the said process”. in lines 12, 27 and 36. It should either “the process” or “said process”. It is improper under antecedent basis rules.
- “the value tables” in line 13. There is no antecedent basis.

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- “objects in lines 33, 34, 37,45, This should have a prefix “the”, because it is preceded by the same limitation in line 1,
- “object” in lines 25, 26, 27, 30 onwards throughout the claims. These are not linked resulting into lack of antecedent basis.
- “the internal queue” in line 32, has no antecedent basis.

Claim 2 recites “the destination router” in line 5. There is no antecedent basis.

Note: there are many instances of “lack of antecedent basis in the rest of the claims.

Appropriate action be taken to correct the problem.

b. Claims 1-8 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only.

Allowable Subject Matter

REASONS FOR ALLOWANCE

5. Claims 1-8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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The following is an examiner's statement of reasons for allowance:

As recited by claim 1,

Each router is linked with a routing table including values relating to the estimation of the number of deflections undergone by each object at the start of this router for a given destination.

The said process containing a first initialization stage (E1) for the value tables linked with each router then a recurrent processing stage of each network link consisting of:

- a) detecting if at least one object has arrived on at least one router (E2)
- b) considering each network link and seeing if there is at least one object on these links

(E3)

- if yes move the objects along the links of a unit of time
- if not wait for a unit of time
- c) consider each network router and for each detect the state of these incoming links

(E4)

- If the presence an object is detected on entering link and destination this object the router considered then said object having arrived the destination is removed from the network
- if any object with a destination of this router is detected on the incoming links then check the state of the internal queue
- If the internal queue contain objects then transfer these objects in the routing buffer of the router (E4bl).

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- If the said buffer is not full then verify if objects are on standby in the external queue (E4b4) and fill the buffer with a part at least of the objects on standby in this external queue (E(b3) characterised by the fact that it consists of
- d) allocating the content the routing buffer on the outgoing links of the router according to the linked routing table and dynamically estimate the number of deflections which objects undergo forward points of the router to reach their destination (E4c).
- e) updating the linked routing table values to estimate the number of deflections undergone on the whole path by the objects (E4d5, E4d4)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Prior Art of Record

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ayanoglu (US Patent No. 5,717,689) discloses a reliable data link layer protocol to transport ATM cells

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra
Inder P Mehra
Examiner
Art Unit 2666
8/5/05



D A N T O N
PRIMARY EXAMINER